

City of Shannon Hills, Arkansas
Regular City Council Meeting
Aug 14, 2007

Mayor Davis called the meeting to order at 6:30pm.

Mayor Davis led the Pledge of Allegiance.

There was a moment of silence to honor Lt. Paul Baker of the Turtle Creek Fire Department. He died in the line of duty during a rescue procedure last week.

Roll Call: Present were Mayor Davis, Aldermen Robin Baker, Mike Kemp and Toni Cobb, James Smith, Dave Holsomback and Evelyn Cador, Recorder-Treasurer Curt Wilson and City Attorney Patrick Benca.

Financial Report: Recorder-Treasurer Wilson presented the financial report for July 2007. Financial summary was:

General Fund:

Checking account.....	\$13,904.00
Undeposited Cash	\$ 6,576.97
Reserve Fund	<u>\$32,089.26</u>
Total General Fund ...	\$52,570.23

General Fund Revenue....	\$43,180.17
General Fund Expenditures	<u>\$43,383.26</u>
Net loss	(203.09)

Street Fund:

Checking Account	\$88,348.85
Undeposited Cash	\$ 1,757.29
Reserve Fund	<u>\$36,639.02</u>
Total Street fund	\$126,738.16

Street Fund Revenue....	\$ 9,699.61
Street Fund Expenditures	<u>\$ 5,793.27</u>
Net Gain	\$ 3,906.34

Motion to approve the report was made by Alderman Kemp. A second was provided by Alderman Baker. The motion was approved by voice vote. Alderman Cobb voted not to approve based on the fact that she had not seen the written report. The motion was approved with 5 votes for and 1 against.

Minutes: A motion was made by Alderman Kemp to accept the minutes for The Regular Council Meeting held July 10, 2007, as printed. The motion received a second from Alderman Smith. In a roll call vote Aldermen Baker, Kemp, Cobb, Smith and Cador voted "Yes." Alderman Holsomback abstained due to his absence from the July meeting. The Motion was approved with 5 "Yes" votes, 0 "No" votes and 1 "Abstain."

Department Head Reports: Department Head reports were submitted in writing and a copy was provided to each alderman. Copies of the reports are maintained in the Recorder's office for anyone who wishes to view them.

Old Business:

Mr. Tim Lemons had not arrived so Alderman Kemp made a motion to move Mr. Don Hendricks of Arkansas Digital Systems to the top of the agenda and accepting Mr. Lemons report when he arrives. Alderman Holsomback provided a second. The motion was approved by voice vote. There was no opposition.

Item 1. Arkansas Digital Systems proposal to continue providing wireless internet service to the city and related use of the City water tower's antenna coral.

Mayor Davis reported that ADS met with the city officials last week and was told to see if they could work out an arrangement with Aristotle relative to sharing the tower and competing for customers in the area. Those meeting have taken place and ADS is here to address the issue with the Council.

Mr. Hendrix of ADS presented his case to the Council and announced that they had reached agreement with Aristotle to share tower space.

Following some discussion Alderman Kemp made a motion to modify the city contract with Aristotle to serve ADS and agree to continued service from ADS under the same conditions as with Aristotle. The motion received a second from Alderman Cobb. In a roll call vote Alderman Kemp, Cobb, Smith, Holsomback, Cador and Baker voted "Yes." There were no opposing votes. The motion is approved.

Item 2: Third and final Reading of Ordinance 2007-10 Banning Pit Bull dogs from the City, with exceptions.

A motion was made by Alderman Kemp that Ordinance 2007-10 be approved, reading only the title. A second was provided by Alderman Holsomback.

The Ordinance Title was read by Attorney Benca.

In a roll call vote, Aldermen Cobb, Smith, Holsomback, Cador, Baker and Kemp Voted "Yes." There were no opposing votes. The motion is approved. Ordinance 2007-10 is approved.

Item 3. Vote to approve recent amendments to Ordinance 2007-10.

During the period of time that Ordinance 2007-10 was in process, some modifications were made to the text. Because the changes were not in place during each of the three votes on the Ordinance they are now being considered. The changes have been published several times and Mayor Davis described them for the benefit of the current audience.

Following comments Alderman Holsomback made a motion to approve Ordinance 2007-10 as amended. A second was provided by Alderman Cobb. In a roll call vote Aldermen Smith, Holsomback, Cador, Baker, Kemp and Cobb voted "Yes." There were no opposing votes.

Suspend rules for Second Reading of Amended Ordinance 2007-10:
Alderman Kemp made a motion to suspend the rules and bring the Ordinance 2007-10, as amended, to the floor for a second reading. Alderman Baker provided a second. The motion was approved by voice vote. There was no opposition.

Second Reading of Ordinance 2007-10 amendments:
Motion was made by Alderman Kemp that Ordinance 2007-10, as amended, be approved, reading only the title.
Attorney Benca read the title.
In a roll call vote, Aldermen Holsomback, Cador, Baker, Kemp, Cobb and Smith voted "Yes." There was no opposition.

Suspend rules for Third Reading of Amended Ordinance 2007-10:
Alderman Kemp made a motion to suspend the rules and bring the Ordinance 2007-10, as amended, to the floor for a third reading. Alderman Smith provided a second. The motion was approved by voice vote. There was no opposition.

Third Reading of Ordinance 2007-10 amendments:
Attorney Benca read the title.
Motion was made by Alderman Kemp that Ordinance 2007-10, as amended, be approved, reading only the title. A second was provided by Alderman Baker. In a roll call vote, Aldermen Cador, Baker, Kemp, Cobb, Smith and Holsomback voted "Yes." There was no opposition. Ordinance 2007-10 amended is approved.

- Item 4. Sewer Plant Update:** Chief Engineer Tim Lemons presented updates on two ongoing projects. Concerning the Water connection for the Packer Dr. area. Project has been approved by the Department of Health. (A copy of the approval letter was submitted.) This is the purchase of the Sardis Water meters that are inside the city.
With respect to the wastewater facility, bids were opened on Aug 10, 2007. Low bidder was Kajacs, Inc with a bid of \$1,877,355.00 with possible addition of \$23,000 per acre if 5 acre pond liner is required. Which would bring final total to \$1,992,355.00. Bond funds are available to fund the project at that price.
An issue has arisen with the Dept of Health concerning the distance of the plant aeration pond from the west property line. Resolution of that issue is underway and should be resolved within the next few days.
Mr. Lemons recommended acceptance of the bid from Kajacs, Inc with the contingency that the issue with the Dept of health is resolved.
Alderman Kemp made a motion that the Kajacs, Inc. bid be accepted with the contingency as stated by Mr. Lemons. The motion received a second from Alderman Baker. The motion was approved by voice vote. There was no opposition.

New Business:

Item 1: Ordinance 2007-12 renewal of the city 3-mill property tax.

- **throughout the meeting this ordinance was referred to as 2007-11. It should have been 2007-12 and is filed with that number.**

First Reading: Alderman Kemp made a motion to approve Ordinance 2007-11 as written, reading only the Title. A second was provided by Alderman Smith. Attorney Benca read the Ordinance title.

In a roll call vote, Aldermen Cador, Baker, Kemp, Cobb, Smith and Holsomback voted "Yes." There was no opposition. The motion passed.

Suspend rules for Second Reading of Ordinance 2007-11

Alderman Kemp made a motion to suspend the rules and bring Ordinance 2007-11 to the floor for a second reading.

Alderman Cador provided a second. The motion was approved by voice vote. There was no opposition.

Second Reading of Ordinance 2007-11 (3-mill Property tax renewal)

Motion was made by Alderman Kemp that Ordinance 2007-11, be approved, reading only the title.

Attorney Benca read the title.

In a roll call vote, Aldermen Baker, Kemp, Cobb, Smith,

Holsomback and Cador voted "Yes." There was no opposition.

Suspend rules for Third Reading of Amended Ordinance 2007-11:

Alderman Kemp made a motion to suspend the rules and bring the Ordinance 2007-11 to the floor for a third reading.

Alderman Holsomback provided a second. The motion was approved by voice vote. There was no opposition

Third Reading of Ordinance 2007-11 (3-mill Property tax renewal)

Motion was made by Alderman Kemp that Ordinance 2007-11, be approved, reading only the title. Second was provided by Alderman Holsomback.

Attorney Benca read the title.

In a roll call vote, Aldermen Kemp, Cobb, Smith, Holsomback, Cador and Baker voted "Yes." There was no opposition. The Motion passes.

The Ordinance is approved.

Item 2. Request by Emerald Mountain Developers Paul Bull, Doug Loftin and Mark Harris to install "speed bumps" at a few locations in the development area.

Mayor Davis stated that the developers would install two or three speed bumps at their cost and where they chose.

A discussion followed that covered a number of problems and benefits relative to speed bumps. Following the debate Alderman Baker made a motion to table the issue for a period of 90 days after which the Police Dept. and the developers can provide more information relative to the issue. Alderman Kemp provided a second. In a roll call vote, Aldermen Kemp, Cobb, Smith, Holsomback, Cador and Baker Voted "Yes." There was no opposition. The motion was approved.

Item 3. The Police Dept. presented a list of needs and asked for approximately \$19,000.00 to achieve the projects and purchases.

First on the list is new, additional, software for the police cars so they can do ACIC look-ups on-line rather than having to go thru central dispatch, A Motion was made by Alderman Kemp in the form of a resolution of intent to approve the requests including a 30-day trial of the Software and final action based on a follow-up report on how the software trial went. Alderman Cador provided a second. In a roll call vote Aldermen Kemp, Cobb, Smith, Holsomback, Cador, and Baker voted "Yes." There was no opposition. The motion is approved.

We need hand rails on the steps and ramps at the police station. The city has quotes from some places and the best is from a citizen of Shannon Hills that is well known to do excellent work. The job must be done in order for the steps and ramps to be ADA compliant. The cost of this item will be about \$1,400.00.

Alderman Baker made a motion to approve the expenditure and have the handrails installed. Alderman Cador provided the second. In a roll call vote, Aldermen Kemp, Cobb, Smith, Holsomback, Cador and Baker Voted "Yes." There was no opposition.

Paving the parking lot at the Police/Fire Departments and erecting a new "Police Department" and "Fire Department" sign will cost about \$14,300.00. There followed several minutes of discussion during which it was stated that the figures were estimates and not an actual bid. Alderman Baker made a motion to table the action until bid or quotes could be received. Alderman Kemp provided a second. The motion was approved by voice vote. There was no opposition.

There was a motion from Alderman Holsomback that bids be taken for the parking lot paving job. A second was provided by Alderman Baker. . The motion was approved by voice vote. There was no opposition.

Police Chief Friend presented a request to start Certified Police Officers at Grade 12 Step 7 or 8 rather than the typical Grade 12 Step3. He presented the results of a salary survey of surrounding cities compared to what Shannon Hills offers and presented other reasons for his request. A motion was made by Alderman Cador to authorize the Police Chief to start new Employees who are Certified and have a minimum of three years experience, at Grade 12 Step 7 or 8 of the City pay scale. The motion received a second from Alderman Baker. In a roll call vote Aldermen Smith, Holsomback, Cador, Baker, Kemp and Cobb voted "Yes." There was no opposition. The Motion passed.

Item 4. Budget Mid-Year adjustments.

Alderman Baker made a motion to table the budget adjustment until the next meeting. Alderman Holsomback provided a second. The motion was approved by voice vote. There was no opposition.

Item 5. Alderman Kemp has asked to address the Council.

Alderman Kemp praised the Council and the Mayor for the progress that has been made in a multitude of areas while he has served. With that he announced that he had accepted a job in Broadcast management and his new position could be viewed, by some, to present a conflict of interest if he remained on the Council. With that he announced his resignation from the City Council.

A motion to approve Resolution 2007-10 “A resolution of Appreciation” to Alderman Mike Kemp was made by Alderman Baker. Alderman Holsomback provided a second. In a roll call vote Aldermen Holsomback, Cadore, Baker, Cobb and Smith voted “Yes.” Alderman Kemp Abstained. The Motion was approved. The Resolution was presented to Alderman Kemp.

Comments:

Citizen Beverly Williamson asked if the Water Dept. or other city official could look at a perceived drainage problem in the north end of the cul-de-sac on Ridgecrest. Mr. Passmore said he would take a look at it.

Mayor Davis announced that he would send a letter out soon reminding the citizens about Pitt Bull dog registration requirements and to let people in Ward 1 know that they city will be accepting applications to fill the vacant Council position.

A Motion to Adjourn was made by Alderman Baker. A second was supplied by Alderman Cobb. The motion was approved by a voice vote, with no opposition. The Meeting Adjourned at 8:30 pm.

Date: _____

Approved: _____
Larance Davis, Mayor

Attest: _____
Curt Wilson, Recorder-Treasurer